



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/435,996	11/08/1999	MITSUHIRO WATANABE	10P319372	5995

30743 7590 08/13/2004

WHITHAM, CURTIS & CHRISTOFFERSON, P.C.
11491 SUNSET HILLS ROAD
SUITE 340
RESTON, VA 20190

EXAMINER

HUTTON JR, WILLIAM D

ART UNIT PAPER NUMBER

2179

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/435,996	Applicant(s) WATANABE, MITSUHIRO	
	Examiner Doug Hutton	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-26 is/are rejected.
- 7) ☒ Claim(s) 4-22 and 27-45 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/27/04</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2179

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2 June 2004 has been entered.

Applicant's Response

In the correspondence submitted on 2 June 2004, Applicant cancelled Claims 1-3, added new Claims 27-45, and argued against all rejections previously set forth in the Office Action mailed on 12 March 2004.

The objection to the drawings is withdrawn.

Claim Objections

Claim 4 is objected to because of the following informalities:

- the term "direction" should be inserted between the terms "second" and "designation" in Line 6 because that is how the element is subsequently identified (see Lines 8-9);

Art Unit: 2179

- the term “a” in Line 7 should be amended to — the — because the “first direction designation position” is previously mentioned in the claim (see Lines 5-6); and
- the term “a” in Line 8 should be amended to — the — because the “second direction designation position” is previously mentioned in the claim (see Line 6).

Claim 27 is objected to because of the following informalities:

- the term “direction” should be inserted between the terms “second” and “designation” in Line 10 because that is how the element is subsequently identified (see Line 12).

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 23-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 2179

Claim 23:

The claim recites the limitation "disposing predetermined letters and symbols in a concentric circle form in *M directions* and *N steps*" in Lines 3-4. This limitation is indefinite because it is unclear how many "directions" and "steps" are claimed. As currently worded, the scope of the claim cannot be determined. Applicant may obviate this portion of the rejection by deleting all references to the number of "directions" and "steps."

This limitation is also indefinite because it is unclear how the "letters and symbols" are "disposed" "in a concentric circle" "in **steps**." The examiner understands how the letters are disposed around the circle "in directions" in that the pointer is radially moved "in a direction" from the reference position to the outside of the circle towards a particular letter on the circle. However, the examiner cannot determine how the letters are "disposed" on the circle "in steps."

The claim recites the limitation "a memory unit *with a corresponding arrangement of M rows and N columns*" in Lines 7-8. This limitation is indefinite because it is unclear what composes the "arrangement" of the memory unit and to what it "corresponds."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2179

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 23 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Royer et al., U.S. Patent No. 4,872,196.

Claim 23:

Royer discloses a Japanese letter input method for inputting letters and symbols in a letter set for use in a Japanese letter input device (see Column 1, Lines 5-8 – Royer discloses this limitation, as clearly indicated in the cited text), comprising the steps of:

- disposing predetermined letters and symbols in a concentric circle form in M directions and N steps (see Column 2, Lines 20-33 – Royer discloses this limitation in that the matrix array includes “predetermined letters and symbols” that are “disposed in a concentric circle;” for example, the letters NA, MU, NO and SU are “predetermined” and “disposed in a concentric circle” with the letter NU located at the center of the circle); and
- inputting letters or symbols by designating, in a predetermined sequence, coordinates corresponding to the M directions and N steps by using a position input device, wherein selection of letters or symbols is made using a memory unit with a corresponding arrangement of M rows and N columns (see Column 4, Lines 3-21 – Royer discloses this limitation in that it includes a “rocker” key that inputs the desired symbol by first specifying a consonant column by rocking the key to the left and then specifying a

Art Unit: 2179

vowel row by rocking the key to the right; by rocking the “rocker” key in two directions, the display can navigate the kata-kana matrix).

Claim 26:

Royer discloses the method of Claim 23, wherein the letter set includes romanji alphabet letters, numerals and symbols (see Column 2, Lines 20-33 – Royer discloses this limitation, as clearly indicated in the cited text).

Allowable Subject Matter

Claims 4-22 include allowable subject matter for the reasons indicated in the Office Action dated 30 September 2003. The objections to Claim 4 must be addressed before the claims are allowed, however.

Claims 24 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Additionally, the rejections under 35 U.S.C. 112, second paragraph, for Claim 23 must be obviated.

The following is a statement of reasons for the indication of allowable subject matter:

Art Unit: 2179

Claim 24:

The prior art fails to disclose or suggest a Japanese letter input method for inputting letters and symbols in a letter set for use in a Japanese letter input device, comprising the steps of:

- disposing Japanese letters and symbols in a concentric circle form in directions; and
- inputting letters or symbols with a position input device by designating, in a predetermined sequence, coordinates corresponding to the directions;
- making selections of the letters or symbols using a memory unit having a corresponding arrangement of rows and columns,

wherein the letter set is a 50-letter set in which:

- kana letters of the same consonant are arranged in the same direction;
- kana letters of the same vowel are arranged on the same circumference; and
- symbols are disposed in a directional concentric form.

Claims 25:

This claim is dependent upon Claim 24 and thus includes allowable subject matter.

Art Unit: 2179

Claims 27-45 include allowable subject matter for the reasons indicated in the following paragraph. The objections to Claim 27 must be addressed before the claims are allowed, however.

Claim 27:

The prior art fails to disclose or suggest a Japanese letter input method for inputting letters in a letter set used in a Japanese letter input device, comprising the steps of:

- providing a direction designation unit that includes a pointer;
- moving said pointer in a two-dimensional plane from a reference position to a first direction designation position;
- moving said pointer circumferentially to a second direction designation position;
- returning said pointer to the reference position; and
- detecting said first and second direction designation positions.

Claims 28-45:

These claims are dependent upon Claim 27 and thus include allowable subject matter.

Response to Arguments

Applicant's arguments filed 2 June 2004 have been fully considered but they are not persuasive.

Art Unit: 2179

Arguments that Claims 23-26 do not read on Royer:

Applicant argues that Royer fails to disclose the radial disposition of letters and symbols in a concentric circle form in M radially disposed directions and steps. Applicant provides no detailed analysis of Royer to illustrate how Royer fails to disclose this limitation. Instead, Applicant simply states that Royer fails to disclose the first step of the method of Claim 23. See *Applicant's Response dated 2 June 2004* – Page 11, fourth full paragraph, first sentence.

Examiner disagrees. As indicated in the above rejection for Claim 23, Royer discloses every limitation of the claim.

Arguments against 112, second rejections for Claims 23-26:

Applicant argues that the scope of Claim 23 is definite because M and N are positive integers and because Japanese input systems typically arrange Japanese kana letters and symbols into columns and rows. Applicant indicates that the maximum number of columns and rows is dependent upon how many different symbols are made available for expression. See *Applicant's Response dated 2 June 2004* – Page 11, fourth full paragraph, second sentence through Page 12, first full paragraph.

Examiner disagrees. As indicated in the above rejection for Claim 23, the claim is indefinite because the scope of the claim cannot be determined. Because the claim indicates that there is a certain number of “directions” and “steps,” the claim must indicate a specific number or a range of numbers. As

Art Unit: 2179

previously indicated, Applicant may obviate this rejection by all references to the number of directions and steps.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (703) 305-1701. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

WDH
August 9, 2004

A handwritten signature in black ink, appearing to read 'Doug Hutton', with a stylized, sweeping flourish at the end.

**DOUG HUTTON
PATENT EXAMINER
TECH CENTER 2100**